

Amend SB 1010 (house committee report) as follows:

(1) In SECTION 1 of the bill, strike the recital (page 1, lines 6-7) and substitute "Article 26.13, Code of Criminal Procedure, is amended by amending Subsections (a) and (e) and adding Subsection (e-1) to read as follows:"

(2) In SECTION 1 of the bill, strike amended Article 26.13(e), Code of Criminal Procedure (page 2, lines 14 through 23), and substitute the following:

(e) Before accepting a plea of guilty or a plea of nolo contendere, the court shall, as applicable in the case:

(1) inquire as to whether a victim impact statement has been returned to the attorney representing the state;

(2) if a victim impact statement has been returned, [and] ask for a copy of the statement and, on a request by the victim, guardian of a victim, or close relative of a deceased victim, read the statement aloud and in the presence of the defendant; and

(3) inquire as to whether the attorney representing the state has given notice of the existence and terms of any plea bargain agreement to the victim, guardian, or relative [if one has been returned].

(e-1) For purposes of Subsection (e), "victim," "guardian of a victim," and "close relative of a deceased victim" have the meanings assigned by Article 56.01.

(3) In SECTION 2 of the bill, strike amended Article 56.08(e)(2), Code of Criminal Procedure (page 3, lines 17 through 26), and substitute the following:

(2) the judge before accepting the plea bargain agreement is required under Article ~~[Section]~~ 26.13(e) to ~~[ask]~~:

(A) inquire as to whether a victim impact statement has been returned to the attorney representing the state; ~~[and]~~

(B) if a victim impact statement has been returned, ask for a copy of the statement and, if requested by the victim, guardian of a victim, or close relative of a deceased victim, read the statement aloud and in the presence of the defendant; and

(C) inquire as to whether the attorney representing the state has given the victim, guardian, or relative notice of the existence and terms of the plea bargain agreement.

(4) Strike SECTION 3 of the bill (page 3, line 27, through page 4, line 6) and substitute the following:

SECTION 3. (a) The change in law made by this Act applies only to a victim impact statement or plea bargain agreement that is presented to a court on or after the effective date of this Act.

(b) A victim impact statement or plea bargain agreement that is presented to a court before the effective date of this Act is covered by the law in effect when the statement or agreement was presented, and the former law is continued in effect for that purpose.